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The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 28

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**DIRECTOR OFFICE
TECHNOLOGY CENTER 2000**

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KARL J. WOOD, CORNELIS W.A.M. VAN OVERVELD,
HENDRIK DIJKSTRA and DOUGLAS R. M. PATTERSON

Appeal No. 2003-0228
Application 09/118,572

ON BRIEF

Before BARRETT, OWENS and BLANKENSHIP, *Administrative Patent Judges.*

OWENS, *Administrative Patent Judge.*

DECISION ON APPEAL

This appeal is from the final rejection of claims 1-11, which are all of the claims in the application.

THE INVENTION

The appellants claim a method, semiconductor chip and computer graphics system for texture mapping. Claim 1, directed toward the apparatus, is illustrative:

1. Apparatus for texture mapping in a computer graphics system, using a predetermined set of standardized textures, the apparatus having an input to receive via a network identifying data identifying one of the set of standardized textures, and means for processing the data to generate output texels of the identified texture, wherein each texture of the standardized set is a procedural texture, the identifying data comprises one or a sequence of program commands, the execution of which will result in the generation of a respective procedural texture, with the means for processing data comprising a processor operable to implement all such input program commands or sequences of input program commands as required to generate the procedural textures of the standardized set.

THE REFERENCES

Kamen et al. (Kamen)	5,812,141	Sep. 22, 1998
	(effective filing date	Apr. 1, 1993)
Griffin et al. (Griffin)	5,880,737	Mar. 9, 1999
	(effective filing date on or before	Jun. 27, 1996)
Tremblay et al. (Tremblay)	5,925,123	Jul. 20, 1999
	(effective filing date on or before	Jan. 23, 1997)
Jenkins	6,111,582	Aug. 29, 2000
		(filed Jul. 23, 1997)

THE REJECTIONS

The claims stand rejected under 35 U.S.C. § 103 as follows:
claims 1-4, 7, 9 and 10 over Kamen in view of Jenkins, claims 5, 6 and 8 over Kamen in view of Jenkins and Griffin, and claim 11 over Kamen in view of Jenkins and Tremblay.

OPINION

We reverse the aforementioned rejections. We need to address only claim 1, which claims an apparatus required by all of the other claims.¹

Kamen discloses that some computer graphics systems use procedural texturing wherein texture values are calculated or derived from a mathematical function which is used to model the associated texture values (col. 2, lines 29-36). These texture values are passed directly to a combinator module which combines these texture values with any existing pixel values (col. 2, lines 27-29 and 37-39; col. 6, lines 31-32).

Jenkins discloses (col. 85, lines 49-58):

Transmitted texture information includes conventional maps as well as parameters for procedural methods of texture synthesis which are then generated by the client. Alternatively, transmitted primitives can refer to materials and textures from prestored libraries of textures maintained by the client. The use of procedural textures and prestored texture libraries reduces the required client-server connection bandwidth. The use of prestored texture libraries allows the user to modify the appearance of the model by selecting texture preferences.

¹ The examiner does not rely upon Griffin or Tremblay for any disclosure that remedies the deficiency in Kamen and Jenkins as to claim 1.

The appellants' claim 1 requires an apparatus having an input to receive, via a network, identifying data that identifies one of a set of standardized textures and comprises one or a sequence of program commands whose execution will result in the generation of a procedural texture.

The examiner argues that because a procedural texture can be a mathematical function, Jenkins' parameters transmitted to run the procedural texture have to include commands to place the parameters in the mathematical function (answer, page 9). A parameter in programming is "a value passed to a subroutine or function for processing",² and "is synonymous with argument, a value that is passed to a routine."³ As indicated by these definitions, parameters may be mere data, and the examiner has provided no evidence or reasoning which shows that parameters used in procedural textures must include commands to place the data in a mathematical function. Furthermore, the examiner has not explained how the applied references themselves would have

² *TechEncyclopedia*,
<http://www.techweb.com/encyclopedia/defineterm?term=parameter&x=42&y=7>. A copy of each dictionary definition cited herein is provided to the appellants with this decision.

³ *Webopedia*,
<http://www.pcwebopaedia.com/TERM/p/parameter.html>.

fairly suggested, to one of ordinary skill in the art, using, as Jenkins' transmitted parameters, parameters which include such commands.

The examiner argues that parameters can start and stop the running of a mathematical function and specify the number of iterations and that, therefore, Jenkins' parameters are program commands (answer, page 9). The examiner, however, has not established that Jenkins' parameters actually serve the purposes asserted by the examiner. Also, the examiner has not explained how the applied references themselves would have fairly suggested, one of ordinary skill in the art, the use of parameters that serve those purposes.

For the above reasons we conclude that the examiner has not carried the burden of establishing a *prima facie* case of obviousness of the appellants' claimed invention.

Appeal No. 2003-0228
Application 09/118,572

DECISION

The rejections under 35 U.S.C. § 103 of claims 1-4, 7, 9 and 10 over Kamen in view of Jenkins, claims 5, 6 and 8 over Kamen in view of Jenkins and Griffin, and claim 11 over Kamen in view of Jenkins and Tremblay, are reversed.

REVERSED


LEE E. BARRETT
Administrative Patent Judge

Terry J. Owens
TERRY J. OWENS
Administrative Patent Judge

Howard B. Blankenship
HOWARD B. BLANKENSHIP
Administrative Patent Judge

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Appeal No. 2003-0228
Application 09/118,572

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